

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN THE MATTER OF:

CONNIE MARRERO ROSARIO

CASE NO.: 95-02995 GAC

DEBTOR

CHAPTER 13

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MOTION REQUESTING DEVOLUTION OF CONSIGNED FUNDS

TO THE HONORABLE COURT:

COMES NOW, Debtor in the above captioned case, through the undersigned attorney and very respectfully prays:

1. On July 12, 2000, the Chapter 13 Trustee consigned \$3,209.84 with this Honorable Court. This sum had been assigned in the Chapter 13 plan to Creditor Chemical Bank, but no proof of claim was filed. We believe that the creditor did not claim the money because it had previously been paid by Debtor while she lived in New York. Years after she paid the debt, Chemical Bank called her to request the alleged balance and Debtor had no evidence of having paid the loan. Debtor included the debt since she assumed that the debt was still being contested. However a recent copy of her credit report shows no debt owed to Chemical Bank. On July 14, 1996, Chemical Bank was acquired by the Chase Manhattan Bank NA. On November 13, 2004, Chase Manhattan Bank NA became the Federal JP Morgan Chase Bank NA. (www.banking.state.ny.us) We include an unsworn declaration under penalty of perjury by the Debtor that she paid the amount owed to Chemical Bank, now JP Morgan Chase Bank NA.

WHEREFORE, Debtor respectfully requests that this Honorable Court grant this motion and that the consigned funds be returned to Debtor since the Federal JP Morgan Chase Bank NA is not a creditor.

CERTIFICATE OF SERVICE: I hereby certify that on this same day a true and exact copy of the present motion was sent by regular mail to Mr. Alejandro Oliveras, Esq., Trustee, PO Box 70370, San Juan, PR 00936, the U.S. Attorney's Office, Torre Chardon Office 1201 , 350 Ave. Chardon, San Juan, PR 00918 , the Federal JP Morgan Chase Bank NA, 1 Chase Manhattan Plaza, Floor 20, New York, NY 10005-1402 and Federal JP Morgan Chase Bank Bankruptcy Division PO Box 901065, Fort Worth TX 76101-2065.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 19th . day of April 2006.

S/ Cynthia Navarro

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IN RE:	*	CASE NO. 95-02995 GAC
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UNSWORN DECLARATION UNDER PENALTY OF PERJURY

I, Connie Marrero Rosario, declare under penalty of perjury as follows:

1. I am the Debtor in this case. This filing included a debt originated in the now-defunct Chemical Bank whose assets were merged into the Chase Manhattan Bank N.A. This debt was paid before I left New York but in Puerto Rico, collection efforts were made to collect on this loan. I did not have the evidence of payment and thus offered to pay this loan. In my bankruptcy case, the Chase Manhattan Bank N.A. did not file a proof of claim. I have called the Bank on innumerable occasions and they have informed me that their records do not list a debt in my name, but they are unwilling to put that fact in writing.

2. Although the foregoing is in the English language, its meaning has been explained to me by my attorney.

3.. The foregoing declaration is submitted under penalty of perjury and I declare that the same is true and correct to the best of my information and belief.

In Isabela, Puerto Rico, this 15th day of June, 2005.



Connie Marrero Rosario